

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 27, 2022**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARC F.,

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:21-CV-3108-JAG

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney Maren Ann Miller Bam represents Plaintiff; Special Assistant United States Attorney John B. Drenning represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Appeals Council shall assign this case to a different Administrative Law Judge (ALJ) and limit the period at issue to the period prior to April 1, 2019. The Appeals Council shall instruct the new ALJ to perform the

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1 following: (1) reevaluate the opinion evidence of record; (2) as warranted,  
2 reevaluate Plaintiff's maximum residual functional capacity; and (3) if warranted by  
3 the expanded record, obtain supplemental vocational expert evidence to clarify the  
4 effect of the assessed limitations on Plaintiff's ability to perform other work in the  
5 national economy.

6 The ALJ shall offer Plaintiff the opportunity for a new hearing, take any  
7 further action needed to complete the administrative record, and issue a new  
8 decision.

9 2. **Judgment shall be entered for PLAINTIFF.**

10 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is  
11 **STRICKEN AS MOOT.**

12 4. An application for attorney fees and costs may be filed by separate  
13 motion.

14 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
15 Order, forward copies to counsel, and **CLOSE THE FILE.**

16 DATED May 27, 2022.



  
JAMES A. GOETKE  
UNITED STATES MAGISTRATE JUDGE